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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,545	04/01/1999	YEVGENIY EUGENE SHTEYN	PHA-23.633	1179

7590

07/26/2002

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

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DATE MAILED: 07/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/283,545

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examiner

Bob Chevalier

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/15/99 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mankovitz in view of Abecassis.

Mankovitz discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims including the feature of enabling the user to select the content information for recording as specified in the present claim 1. (See Mankovitz's column 10, lines 45-51).

Mankovitz fails to specifically disclose the feature of the user selecting at least one from multiple locations for play-out the recorded selected content information and play-out at the specific location the recorded selected content information as specified in the present claim 1.

Abecassis discloses a video reproducing apparatus which includes the capability of allowing a user to select at least one from a multiple locations of a recorded video signal on a recording medium for playing back purposes and playback the recorded video signal from the selected locations on the recording medium as recited in the present claim 1. (See the capability of selecting video segments for playback based on user entered preferences as shown in Abecassis' Figure 8C, and claim 1).

It would have been obvious to one skilled in the art to modify the Mankovitz's apparatus wherein the recording/reproducing means provided thereof would incorporate the capability of allowing a user to select at least one from a multiple locations of a recorded video signal on a recording medium for playing back purposes and playback the recorded video signal from the selected locations on the recording medium in the same conventional manner as is shown by Abecassis. The motivation being to increase the accessing speed during reproduction of the recorded video data as suggested by Abecassis.

With regard to claim 2, the feature of the content information being selected from a broadcast or a multicast program guide as specified thereof is present in the proposed combination of Mankovitz and Abecassis indicated above. (See Mankovitz's Figure 9).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mankovitz and Abecassis as applied to claims 1-2 above, and further in view of Yang.

The proposed combination of Mankovitz and Abecassis indicated above disclose a video recording/reproducing apparatus which substantially shows the same limitations recited in claim 3, including the feature playback recorded video signal as specified in the present claim 3. (See the above rejection of claims 1-2).

The proposed combination fails to specifically disclose the feature of specify a time for making the video signal available for playing out from the recording medium as specified in the present claim 3.

Yang does disclose a video recording/reproducing apparatus which includes the capability of specifying the time for playing back the recorded signal as specified in the present claim 3. (See Yang' s abstract).

It would have been obvious to one skilled in the art to modify the propose combination indicated above wherein the reproducing means provided thereof would incorporate the capability of specifying the time for playing back the recorded signal in the same conventional manner as shown by Yang. The motivation being to automatically watch the recorded video signal at a desired time as suggested by Yang, thereby making the apparatus more efficient.

4. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

B. Chevalier
July 24, 2002


ROBERT CHEVALIER
PRIMARY EXAMINER